

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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<b>VALDIMIR YUKHA,</b>	:	<b>CIVIL ACTION</b>
	:	
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	<b>NO. 10-5239</b>
	:	
<b>MICHAEL J. ASTRUE, Commissioner of Social Security,</b>	:	
	:	
<b>Defendant.</b>	:	

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**ORDER**

AND NOW, this 27th day of February, 2012, upon consideration of plaintiff's Complaint requesting review of an adverse decision of the Commissioner (Document No. 1, filed October 6, 2010), defendant's Answer (Document No. 4, filed December 13, 2010), Plaintiff's Brief and Statement of Issues in Support of Request for Review (Document No. 6, filed January 22, 2011), Defendant's Response to Request for Review of Plaintiff (Document No. 7, filed February 24, 2011), and Plaintiff's Reply Brief (Document No. 8, filed March 8, 2011); and after review of the Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski (Document No. 10, filed November 10, 2011), Defendant's Objections to the Magistrate Judge's Report and Recommendation (Document No. 11, filed November 23, 2011), Plaintiff's Response in Opposition to Defendant's Objections to the Magistrate Judge's Report and Recommendation (Document No. 12, filed December 3, 2011), and the record in this case, for the reasons set forth in the Memorandum dated February 27, 2012, **IT IS ORDERED** as follows:

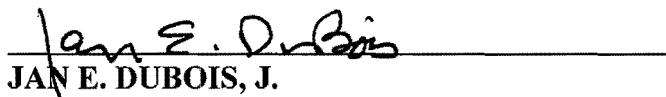
1. The Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski dated November 10, 2011, is **APPROVED AND ADOPTED**;

2. Plaintiff's Request for Review is **GRANTED** to the extent it seeks remand to the Commissioner. Plaintiff's Request for Review is **DENIED** in all other respects;

3. Defendant's Objections to the Magistrate Judge's Report and Recommendation are **OVERRULED**; and

4. The case is **REMANDED** to the Commissioner of Social Security pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further proceedings consistent with the Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski dated November 10, 2011.

**BY THE COURT:**

  
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JAN E. DUBOIS, J.